

July 9, 2001

Exemption No. 5711F
Regulatory Docket No. FAA-2001-9097

Mr. Norman E. Alexander
Supplemental Air Engineering
Federal Express Corporation
P.O. Box 727
Memphis, TN 38194-2890

Dear Mr. Alexander:

This is in response to your February 21, 2001, letter petitioning the Federal Aviation Administration (FAA) on behalf of Federal Express Corporation (FedEx), for an extension of Exemption No. 5711, as amended. That exemption from § 135.143(c)(2) of Title 14, Code of Federal Regulations (14 CFR) permits FedEx to operate certain aircraft under part 135 without a TSO-C112 (Mode S) transponder installed on those aircraft.

In your petition, you indicate that the conditions and reasons regarding public interest and safety, presented in the original petition upon which the exemption was granted, remain unchanged.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to FedEx.

The FAA has determined that the justification for the issuance of Exemption No. 5711, as amended, remains valid with respect to this exemption.

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Exemption No. 5711, as amended, is hereby further amended by extending its August 31, 2001, termination date to August 31, 2003, unless sooner superseded or rescinded. This exemption is subject to the following conditions and limitations:

AFS-01-293-E

1. Any aircraft listed on FedEx's part 135 operations specifications at the date of issuance of this exemption may be operated when equipped with any TSO-C74b transponder or TSO-C74c transponder.
2. Any other aircraft for which installation of a transponder is needed may be operated when equipped with any TSO-C74b transponder or TSO-C74c transponder, provided notice is given to FedEx's principal operations inspector.

This letter shall be attached to, and is a part of, Exemption No. 5711.

Please note the FAA has assigned a new docket number to this project (Docket No. FAA-2001-9097; previously Docket No. 27205). In an effort to allow the public to participate in tracking the FAA's rulemaking activities, we have transitioned to the Department of Transportation's Internet-accessible Docket Management System (DMS), located at <http://dms.dot.gov>. This new system enables interested persons to submit, view, and download requests to the DMS in accordance with 14 CFR § 11.63. Future requests should be submitted through this system.

Sincerely,

/s/ Anthony F. Fazio
Director, Office of Rulemaking

AFS-01-293-E (Docket No. FAA-2001-9097) Exemption No. 5711F, 07/09/01

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Certificate holding region: ASO-200, Flight Standards service, Southern Region.